



00000REG-01-001

Jazz, Blues, and Gospel Music - Worldwide
The WBEE Radio Network
WBEE AM 1570

April 9, 2001

Susan Donahue, Chief
Revenue & Receivables Operations Group
Federal Communications Group
Office of Managing Director

RE: 2000-9MB-0443 WBEE-AM

Dear Chief Donahue:

This letter is in response to your letter of April 6, 2001, which I have enclosed for your reference.

I am requesting relief from the 25% penalty and late fees, in as much as this is the first notice we have received - and even this notice/billing was not directed to us.

Mariner Broadcasters, Inc. holds the license for WBEE AM. The enclosed letter was sent to "Entercom/New York, Inc." an entity totally unfamiliar to us. If an invoice was sent to us in September 2000, we did not receive it (probably because it was sent to the wrong company).

Please find enclosed our 2000 regulation fee of \$2225; please issue a credit for the penalty and correct our mailing address to read as follows:

Mariner Broadcasters, Inc.
15700 Campbell Avenue
Harvey, IL 60426

Yours sincerely,

Charles R. Sherrell, II
President

2001 APR -7 12 1:33

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

September 18, 2001

OFFICE OF
MANAGING DIRECTOR

Mr. Richard Hildreth
Fletcher, Heald & Hildreth, P.L.C.
Attorneys at Law
11th Floor, 1300 North 17th Street
Arlington, Virginia 22209-3801

Re: Request for Waiver of Regulatory Fee Penalty, One-On-One Sports Radio
Stations (KCHL(AM), KIDX(FM), KCAP(AM), KZMT(FM),
Billings and Helena, MT. Fee Control No. 9901048835151002

Dear Mr. Hildreth:

This is in response to your letter dated May 26, 1999 to waive the penalties of \$800 imposed on your client, One-On-One Sports Radio Stations, Inc., for late payment of the fiscal year 1997 regulatory fees. We received your letter after the "20 days" specified in our April 22, 1999 letter for payment or other response; therefore, the debt is subject to additional interest and penalties.

Title 47, United States Code, Section 159(c) and Commission Rule 47 CFR § 1.1164 impose a penalty for untimely payment equal to 25% of the amount of the regulatory fee. The penalty may be excused only where the delay resulted from bank error "as evidenced by an affidavit of an officer of the bank" (47 CFR § 1.1164(b)).

While we are mindful of your comment that your client "believed the obligation for the payment of the regulatory fee was to be assumed by the assignee," that reason does not excuse the penalties. Confusion or disagreement between One-On-One Sports Radio Stations, Inc., and the eventual assignee of the licenses does not excuse your client of the required timely payment. Your client knew or should have known it was responsible for paying the required regulatory fees not later than September 19, 1997 to avoid payment of the penalties. We have no record of timely payment, and you have not furnished contrary proof or that the delay resulted from bank error. Accordingly, the Commission denies your request for a waiver.

Payment of the penalty and interest thereon is due and payable as of September 30, 2001. Total due as of September 30, 2001 is \$913.10, which consists of \$800 in penalties and \$113.10 in interest. In addition to sanctions permitted by 47 CFR Section 1.1164, failure to make timely payment may result in additional interest, penalties and administrative costs for collection as permitted by 31 USC Section 3717 and 47 CFR Section 1.1940, and immediate referral for collection.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Reger', with a large, stylized initial 'M'.

 Mark Reger
Chief Financial Officer

9901048835151002

ANN BAVENDER*
ANNE GOODWIN CRUMP
VINCENT J. CURTIS, JR.
RICHARD J. ESTEVEZ
PAUL J. FELDMAN
RICHARD HILDRETH
FRANK R. JAZZO
ANDREW S. KERSTING
EUGENE M. LAWSON, JR.
SUSAN A. MARSHALL*
HARRY C. MARTIN
GEORGE PETRUTSAS
RAYMOND J. QUIANZON
LEONARD R. RAISH
JAMES P. RILEY
KATHLEEN VICTORY
HOWARD M. WEISS
*NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH, P.L.C.

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET

ARLINGTON, VIRGINIA 22209-3801

(703) 812-0400

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FRANK U. FLETCHER
(1939-1985)
ROBERT L. HEALD
(1956-1983)
PAUL D.P. SPEARMAN
(1936-1962)
FRANK ROBERSON
(1936-1961)
RUSSELL ROWELL
(1948-1977)
EDWARD F. KENEHAN
(1960-1978)

CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KRYS
U.S. AMBASSADOR (1981)

OF COUNSEL
EDWARD A. CAINE*
MITCHELL LAZARUS*
EDWARD S. O'NEILL*
JOHN JOSEPH SMITH

WRITER'S DIRECT

May 26, 1999

(703) 812-0430
hildreth@fhh-telcomlaw.com

BY HAND

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
The Portals
445 12th Street, SW, Room TWB204
Washington, D.C. 20554

To: Ms. Claudette E. Pride

Re: Regulatory Fees

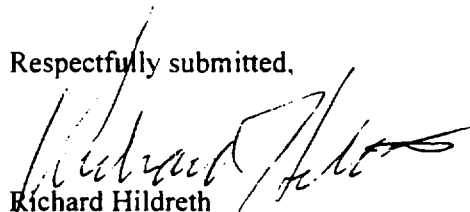
Dear Claudette:

I recently discussed with you the letters of April 22, 1999 from Regina W. Dorsey, copies of which are attached. I pointed out that there had been considerable confusion over the closing of the transactions involving the stations, which closing had been delayed by the purchaser. Further, the licensee was not PBMI Holdings Company but a subsidiary of the One-On-One organizations.

In my letter of December 30, 1998 (copy attached), I previously requested that no penalties be imposed pointing out the problems faced by the assignee. The letters of April 22 make no reference to that request. Further, the letters indicate that they are a "Second Demand for Payment." As I advised earlier, no "First Demand" had ever been received.

Under the circumstances of this matter, it is again respectfully requested that no penalty be imposed.

Respectfully submitted,


Richard Hildreth

RH:jpg

Enclosures

cc: Claudette E. Pride (w/encl.) Room No. 1-A821
Office of Managing Director, FCC
Mr. Christopher J. Brennan

ANN BAVENDER
ANNE GOODWIN CRUMP
VINCENT J. CURTIS, JR.
RICHARD J. ESTEVEZ
PAUL J. FELDMAN
ROBERT N. FELGART
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HOWARD M. WEISS

* NOT ADMITTED IN VIRGINIA

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"PLEASE STAMP"
AND RETURN
THIS COPY TO
FLETCHER, HEALD & HILDRETH

FRANK U. FLETCHER
(1939-1985)
ROBERT L. HEALD
(1956-1983)
PAUL D. P. SPEARMAN
(1936-1982)
FRANK ROBERSON
(1936-1981)
RUSSELL ROWELL
(1948-1977)
EDWARD F. KENEHAN
(1980-1978)

CONSULTANT FOR INTERNATIONAL AND
INTERGOVERNMENTAL AFFAIRS
SHELDON J. KIRYS
U.S. AMBASSADOR (REL)

OF COUNSEL
EDWARD A. CAINE
MITCHELL LAZARUS
EDWARD S. O'NEILL
JOHN JOSEPH SMITH

WRITER'S DIRECT

703-812-0430

hildreth@fhh-telcomlaw.com

December 30, 1998

BY FEDERAL EXPRESS
Federal Communications Commission
Mass Media Services
Regulatory Fees
PO Box 358835
Pittsburgh, PA 15251-5835

Re: Regulatory Fee

Dear Sir or Madam:

On behalf of the former licensee of Stations KGHL (AM) and KIDX (FM), Billings, Montana, and Stations KCAP (AM) and KZMT (FM), Helena, Montana, there is transmitted herewith a check in the amount of \$3,200.00. These fees are paid as follows:

KGHL (AM)	\$ 800.00
KIDX(FM)	1,200.00
KCAP(AM)	200.00
KZMT(FM)	1,000.00

One-on-One Sports Radio Stations, Inc., the prior licensee of these stations entered into an Asset Purchase Agreement dated April 14, 1997. Delays in the processing of the application were occasioned by the purchaser although the grant was issued on September 11, 1997. Under the circumstances, it was believed that the obligation for the payment of the regulatory fees was to be assumed by the assignee. Apparently this did not occur and so the prior licensee is paying the regulatory fee to clear up the record on this matter. Under these circumstances, it is requested that the late payment penalty be waived and not be applied.

Should any questions arise concerning payment, please communicate with this office.

Yours very truly,

Richard Hildreth

Counsel for One-on-One Sports Radio Stations, Inc.

RH:deb

Enclosures

cc: Mr. Christopher J. Brennan (w/Enclosure)

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

April 22, 1999

PBMI Holdings Company
1300 N 17th Street
11th Floor
Rosslyn, VA 22209

Re: 1997 Regulatory Fees
Station KZMT (FM)

Dear Gentlemen:

This is the second demand for payment. This letter is to inform you that your 1997 Annual Regulatory Fee(s) payment of \$1000 was received after the deadline. Payment of the fees was due to the Federal Communications Commission (FCC) by September 19, 1997. In accordance with Section 9 [47 U.S.C. 159 (c)(1)], a 25 percent late penalty in the amount of \$250 has been assessed. Unless you can show just cause why the penalty is inapplicable or should otherwise be waived or deferred, payment is due within 20 days from the date of this letter.


An examination of the FCC's records indicates One-on-One Sports Radio Stations, Inc., was the licensee at the time the fee was assessed. Therefore, One-on-One Sports Radio Stations, Inc., is responsible for the fees and associated penalties. Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835 along with the enclosed Remittance Advice (FCC Form 159). Instructions on how to complete this form are also enclosed. The payment type code to be used in Block 20A of FCC Form 159 for this penalty payment is "FINE".

If you have any documentation that will establish that the fee was paid by September 19, 1997, such as a courier-dated receipt, please include this in your response so that we can clear our records.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined by 47 CFR Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payor's pending applications to dismissal, and may require a delinquent payor to show cause why its existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal Government pursuant to section 3720A of the Internal Revenue Code and the provision of the Debt Collection Act.

If you have any questions, you may contact me at (202) 418-1995.

Sincerely,



Regina W. Dorsey, Chief
Credit & Debt Management Center

Enclosures

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APR 26 1999

FLETCHER, HEALD & HILDRETH

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

April 22, 1999

PBMI Holdings Company
1300 N 17th Street
11th Floor
Rosslyn, VA 22209

Re: 1997 Regulatory Fees
Station KCAP(AM)

Dear Gentlemen:

This is the second demand for payment. This letter is to inform you that your 1997 Annual Regulatory Fee(s) payment of \$200 was received after the deadline. Payment of the fees was due to the Federal Communications Commission (FCC) by September 19, 1997. In accordance with Section 9 [47 U.S.C. 159 (c)(1)], a 25 percent late penalty in the amount of \$50 has been assessed. Unless you can show just cause why the penalty is inapplicable or should otherwise be waived or deferred, payment is due within 20 days from the date of this letter.


An examination of the FCC's records indicates One-on-One Sports Radio Stations, Inc., was the licensee at the time the fee was assessed. Therefore, One-on-One Sports Radio Stations, Inc., is responsible for the fees and associated penalties. Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835 along with the enclosed Remittance Advice (FCC Form 159). Instructions on how to complete this form are also enclosed. The payment type code to be used in Block 20A of FCC Form 159 for this penalty payment is "FINE".

If you have any documentation that will establish that the fee was paid by September 19, 1997, such as a courier-dated receipt, please include this in your response so that we can clear our records.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined by 47 CFR Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payor's pending applications to dismissal, and may require a delinquent payor to show cause why its existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal Government pursuant to section 3720A of the Internal Revenue Code and the provision of the Debt Collection Act.

If you have any questions, you may contact me at (202) 418-1995.

Sincerely,


Regina W. Dorsey, Chief
Credit & Debt Management Center

Enclosures

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APR 26 1999

FLETCHER, HEALD & HILDRETH

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

April 22, 1999

PBMI Holdings Company
1300 N 17th Street
11th Floor
Rosslyn, VA 22209

Re: 1997 Regulatory Fees
Station KGHL (AM)

Dear Gentlemen:

This is the second demand for payment. This letter is to inform you that your 1997 Annual Regulatory Fee(s) payment of \$800 was received after the deadline. Payment of the fees was due to the Federal Communications Commission (FCC) by September 19, 1997. In accordance with Section 9 [47 U.S.C. 159 (c)(1)], a 25 percent late penalty in the amount of \$200 has been assessed. Unless you can show just cause why the penalty is inapplicable or should otherwise be waived or deferred, payment is due within 20 days from the date of this letter.

An examination of the FCC's records indicates One-on-One Sports Radio Stations, Inc., was the licensee at the time the fee was assessed. Therefore, One-on-One Sports Radio Stations, Inc., is responsible for the fees and associated penalties. Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835 along with the enclosed Remittance Advice (FCC Form 159). Instructions on how to complete this form are also enclosed. The payment type code to be used in Block 20A of FCC Form 159 for this penalty payment is "FINE".

If you have any documentation that will establish that the fee was paid by September 19, 1997, such as a courier-dated receipt, please include this in your response so that we can clear our records.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined by 47 CFR Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payor's pending applications to dismissal, and may require a delinquent payor to show cause why its existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal Government pursuant to section 3720A of the Internal Revenue Code and the provision of the Debt Collection Act.

If you have any questions, you may contact me at (202) 418-1995.

Sincerely,



Regina W. Dorsey, Chief
Credit & Debt Management Center

Enclosures

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APR 26 1999

FLETCHER, HEALD & HILDRETH

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

April 22, 1999

PBMI Holdings Company
1300 N 17th Street
11th Floor
Rosslyn, VA 22209

Re: 1997 Regulatory Fees
Station KIDX (FM)

Dear Gentlemen:

This is the second demand for payment. This letter is to inform you that your 1997 Annual Regulatory Fee(s) payment of \$1,200 was received after the deadline. Payment of the fees was due to the Federal Communications Commission (FCC) by September 19, 1997. In accordance with Section 9 [47 U.S.C. 159 (c)(1)], a 25 percent late penalty in the amount of \$300 has been assessed. Unless you can show just cause why the penalty is inapplicable or should otherwise be waived or deferred, payment is due within 20 days from the date of this letter.


An examination of the FCC's records indicates One-on-One Sports Radio Stations, Inc., was the licensee at the time the fee was assessed. Therefore, One-on-One Sports Radio Stations, Inc., is responsible for the fees and associated penalties. Payment should be sent to the Federal Communications Commission, Regulatory Fees, P.O. Box 358835, Pittsburgh, PA 15251-5835 along with the enclosed Remittance Advice (FCC Form 159). Instructions on how to complete this form are also enclosed. The payment type code to be used in Block 20A of FCC Form 159 for this penalty payment is "FINE".

If you have any documentation that will establish that the fee was paid by September 19, 1997, such as a courier-dated receipt, please include this in your response so that we can clear our records.

You are cautioned that failure to respond and/or pay the penalty will subject you to further sanctions as defined by 47 CFR Section 1.1164 of our Rules. These sanctions include subjecting the delinquent payor's pending applications to dismissal, and may require a delinquent payor to show cause why its existing instruments of authorization should not be revoked. Further sanctions include interest charges, and the full cost of collection to the Federal Government pursuant to section 3720A of the Internal Revenue Code and the provision of the Debt Collection Act.

If you have any questions, you may contact me at (202) 418-1995.

Sincerely,



Regina W. Dorsey, Chief
Credit & Debt Management Center

Enclosures

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APR 26 1999

FLETCHER, HEALD & HILDRETH

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

SEP 28 2001

OFFICE OF
MANAGING DIRECTOR

Captain Edward A. Dietrich
Director of Fleet and Facility
Hurricane Island
Outward Bound School
Post Office Box 429
Rockland, Maine 04841

RE: Request for Waiver-Exemption of Application Fee
(GMDSS) by Hurricane Island Outward Bound School
Fee Control No.: 000000 BCB-99-003

Dear Captain Dietrich:

This is in response to your request for a waiver of application fees to seek exemption from the Commission's Rules implementing the Global Maritime Distress and Safety System, which would otherwise be required on each of the 22 vessels operated by Hurricane Island Outward Bound School. Because the rule requires each vessel to have the system, and the exemptions are individual to the vessels concerned, a separate application for waiver was required for each vessel, and each application should have included a fee of \$135, for a total of \$2,970. You provided a single fee and requested that we waive the application fees totaling \$2,835 for the additional 21 vessels.

In addition to explaining the reason for requesting the exemptions from the rule, you state that the total application fee, \$2,790 would be a burden on your limited resources. You did not state the nature of the burden or provide any financial information concerning the assets, liabilities or expenses of the school. We note that the rule waiver applies to 22 vessels and is effective for a period of five years. The cost of the application fee for each vessel apportioned over five years is \$27 per year, which represents a relatively small expense.

As you know, on October 28, 1991, we denied a similar request by you to waive the same application fees. Our rule has not changed, and as we stated then, the Commission specifically addressed the issue whether not-for-profit youth organizations are exempt from the Commission's fee requirement to obtain a waiver of the rules. Congress did not establish a general waiver for not-for-profit entities, except for non-profit applicants in the special emergency radio and public safety radio services, although Congress is aware that many not-for-profit organizations use radios to conduct their programs. See Establishment of a Fee Collection Program to Implement the Provisions of the Omnibus Budget Reconciliation Act of 1989, (Fees II Reconsideration), para. 54, FCC 91-298, released October 10, 1991. While your waiver request is based on the fact that boats are owned and operated by an organization for the benefit of youthful members, we again emphasize that Congress exempted specific non-profit services, but did not include organizations operated for the benefit of youthful members among these exempted services.



Moreover, the Commission indicated that even though it may waive the fee requirement in specific cases "where such action would promote the public interest," *see* 47 U.S.C § 158, the legislative history underlying Section 158 indicates a congressional intent that this provision be narrowly constructed. *See Id.*; Conference Report to accompany H.R.3128, H.R.Rep. No. 453, 99th Cong., 1st Sess. 423 (1985). Given this express limitation on its authority to grant fee waivers, the Commission concluded that you were ineligible for a waiver and the request was denied. Similarly, your current request is denied.

Interest starts to accrue on this debt from the date of this letter, and if the debt remains unpaid for more than 90 days, we are required to add a penalty of 6 percent per year of the unpaid amount. 31 U.S.C. §3717. If we have to initiate collection effort to obtain the amount owed, we will charge you the accompanying administrative costs. You may avoid this additional interest, the additional penalties, and other administrative charges, if you pay the full amount within 30 days of the date of this letter.

If this debt is not paid, we may transfer this debt to the Secretary of the Treasury for collection or to the United States Department of Justice to commence a lawsuit to enforce payment, and/or apply other administrative sanctions. 47 CFR §§1.1161; 1.1164; 1.1940. Any payment received more than 30 days after the date of this letter will be subject to interest, and you may incur additional penalties and administrative costs. Your payment of \$2,835 is due now.

If you have any questions concerning this letter, please call the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


 Mark A. Reger
Chief Financial Officer

Outward Bound

Hurricane Island
Outward Bound School
P.O. Box 429
Rockland, Maine 04841
Telephone 207-594-5548

000000 BCB -99-003

Hand to Bureau



January 27, 1999

Ms. Regina Dorsey
Office of the Managing Director
Federal Communications Commission
Portals Room 1-A820
Washington, DC 20554

RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
JAN 28 1999

Dear Ms. Dorsey,

I am working with Gordon Coffman at the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, to renew our present exemption that was last issued on July 19, 1994, (MAR-18/7220-D). This exemption will expire on February 1, 1999. Gordon plans to issue an emergency exemption that will be in effect while we sort out the details of how we will fit into the new GMDSS regulations.

I was hoping that since Hurricane Island Outward Bound School is a small, non-profit, youth oriented organization that conducts courses designed to enable participants to develop their personal resources, we would be able to receive these exemptions at no cost. Sadly, after speaking with Brenda Kessler (1-717-338-2727) yesterday, while we may be exempt from regulatory fees, this charge of \$135, is an application fee. Brenda stated that few organizations qualify for an exemption from these fees.

As you are able to see (enclosed copy of our last exemption) we have been granted one blanket exemption for our 22 small passenger carrying vessels. The reason that I am writing today is; to respectfully request that you agree to allow us to pay only one application fee of \$135 for all 22 vessels that need to have this exemption from the GMDSS regulations.

All 22 vessels are identical in their design and routes. The reason that we must apply for exemption from total compliance with the GMDSS regulations is simply because our vessels lack any means of generating power to charge the VHF radio battery while we are on short voyages (within 3 miles of land) in domestic waters.

I'm sure that you can understand just how difficult it is to provide safe, quality courses for youth, at a price that makes our programs accessible to all. If we must pay the full application fee for all 22 vessels, the total price would be \$2970. In the past, we have paid nothing for this exemption, the burden that this fee would place on our limited resources is onerous. I desperately appeal to your sense of caring and fairness as I ask for help from this burden.

Sincerely,

Capt. Edward A. Dietrich

Capt. Edward A. Dietrich
Director of Fleet and Facility

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

July 19, 1994

In Reply Refer To:
MAR-18/7220-D

Mr. Edward A. Dietrich
Waterfront Director
Hurricane Island Outward Bound School
P.O. Box 429
Rockland, Maine 04841

Dear Mr. Dietrich:

1. This responds to your request for relief from the fees charged for individual exemptions from the radiotelephone requirements of Part III of Title III of the Communications Act of 1934, and reissuance of the exemptions (Communications Act) for the U.S. passenger vessels listed below, while navigated on domestic voyages.

H.I.O.B.S. #1	WUZ 4169	H.I.O.B.S. #11	WUZ 4179
H.I.O.B.S. #2	WUZ 4170	H.I.O.B.S. #12	WUZ 4180
H.I.O.B.S. #3	WUZ 4171	H.I.O.B.S. #13	WUZ 4181
H.I.O.B.S. #4	WUZ 4172	H.I.O.B.S. #14	WUZ 4182
H.I.O.B.S. #5	WUZ 4173	H.I.O.B.S. #15	WUZ 4183
H.I.O.B.S. #6	WUZ 4174	H.I.O.B.S. #16	WUZ 4184
H.I.O.B.S. #7	WUZ 4175	H.I.O.B.S. #17	WUZ 4141
H.I.O.B.S. #8	WUZ 4176	H.I.O.B.S. #18	WUZ 3914
H.I.O.B.S. #9	WUZ 4177	H.I.O.B.S. #22	WAA 6443
H.I.O.B.S. #10	WUZ 4178	FIRST MATE	WAA 6446
SALLY M	WAA 6444	LLAMA	WAA 6445

2. Your request to reduce the fee to \$105 for all 22 ships because you are a non-profit entity has been forwarded to the Managing Director's office for review.

3. With respect to your request for reissuance of the exemptions with a new expiration date, Section 383 of the Communications Act, 47 U.S.C. § 383, authorizes exemptions to be granted to ships when the routes or conditions of the voyages or other circumstances are such as to render a radio installation unreasonable or unnecessary for purposes of Part III of Title III of the Communications Act. Section 383 does not prescribe a specific period for such exemptions. Section 384 of the Communications Act, 47 U.S.C. § 384, authorizes the Commission to specify communications capability and range, and, the addition of equipment to supplement the radiotelephone installation required by Part III of Title III of the Communications Act.

4. In your application for reissuance you state that the above listed ships are all navigated on the same routes, namely: COASTWISE, Atlantic Ocean and Gulf of Mexico between Little River, South Carolina and St. Mary's River, Florida, not more than 3 miles from shore; between Key Largo, Florida and Cape Romano, Florida not more than 6 miles from shore; on voyages in Lakes, Bays and Sounds between Eastport, Maine and Cape Elizabeth, Maine not more than 6 miles from shore, and in Boston Harbor and the Chesapeake Bay. Additionally, you state that each vessel is equipped with a portable marine VHF transceiver rated at 25 watts output power. The VHF transceiver is powered by a main power supply consisting of a 53 amp-hour battery which can not be charged while the vessels are underway.

5. Further, your previous applications have been granted based on each of the vessels being equipped with a high-visibility radar reflector and a Class C emergency position indicating radio beacon (EPIRB). You also stated that the vessels commonly sail in close convoy.

6. In consideration of the limited nature of the ship operations, the communications equipment carried on-board, and the conditions of the voyages, it appears unnecessary to require that the vessels listed in paragraph 1 should be required to comply fully with the radiotelephone requirements contained in Part III of Title III of the Communications Act and Part 80 of the Commission's Rules while being navigated on domestic voyages as stated in paragraph 4. Accordingly, IT IS ORDERED, THAT the U.S. passenger vessels listed in paragraph 1, ARE EXEMPT from the full application of the radiotelephone requirements of Part III of Title III of the Communications Act and Part 80 of the Commission's Rules when navigated on domestic voyages in the Atlantic Ocean and Gulf of Mexico between Little River, South Carolina and St. Mary's River, Florida, not more than 3 miles from shore; between Key Largo, Florida and Cape Romano, Florida not more than 6 miles from shore; on voyages in Lakes, Bays and Sounds between Eastport, Maine and Cape Elizabeth, Maine not more than 6 miles from shore, and in Boston Harbor and the Chesapeake Bay never more than 3 miles from the nearest land.

7. Reissuance and consolidation of these exemptions is granted based on representations made on your request for reissuance dated June 1, 1994, and are valid only when the operation or circumstances affecting the safety of the named vessels, which make full compliance with the radiotelephone provisions of the Communications Act unnecessary, remains unchanged. Additionally, you may be billed in the future for an additional fee after review by the Managing Director's office.

Mr. Edward A. Dietrich

3.

8. These exemptions supersede any exemption previously granted the vessels named in paragraph 1 and remain effective for a period ending February 1, 1999, when the following conditions are met. Each ship must:

(1) never exceed the mileage limitations on the Certificate of Inspection issued by the U. S. Coast Guard;

(2) be equipped with a radiotelephone installation that complies with §§ 80.911, 80.913, 80.919, 80.921, 80.923, 80.925 and 80.931 of the Commission's Rules, 47 C.F.R. §§ 80.911, 80.913, 80.919, 80.921, 80.923, 80.925 and 80.931;

(3) be equipped with a main power supply consisting of a battery or batteries with at least 53 amp-hours capacity;

(4) contact the HIOBS home base prior to departure and once every 12 hours thereafter (when operating in convoy one vessel may check in for the group);

(5) maintain a continuous watch on channel 16, 156.8 MHz, at all times while being navigated or operating in the open sea or on any tidewater contiguous to the open sea;

(6) have a current Communications Act Safety Radiotelephony Certificate issued by the Commission;


(7) have a radio operator licensed in accordance with ' 80.159(d) of the Commission's Rules, 47 C.F.R. § 80.159(d); and,

(8) comply with the Commission's Rules regarding the carriage of Category 1, 406 MHz EPIRBs for small passenger vessels.

These exemptions may be terminated at any time without a hearing, if in the Commission's discretion, the need for such action arises.

A copy of these exemptions must be kept with the vessel's station records.

Sincerely,



George R. Dillon
Chief, Aviation & Marine Branch

FCOM-ALL - 6 F.C.C.R. 7057

----- Excerpt from page (Publication page references are not available for this document. follows -----
6 FCC Rcd. 7057, 1991 WL 693288 (F.C.C.)

Federal Communications Commission (F.C.C.)

Public Notice

FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC

DA 91-1355

Released: November 13, 1991

The Managing Director is responsible for responding to requests for waiver or deferral of fees as well as other pleadings associated with the fee collection process. All responses to individuals are published in the FCC Record.

These decisions are available for public inspection. Each month, the Managing Director releases a Public Notice listing the decisions he has made on these matters. The decisions are placed in General Docket 86-285. A copy of the decision is also placed in the appropriate docket, if one exists.

The following Managing Director decisions are released for information:

Brown University (Uri Bar Zemer)--Request for refund of filing fee--
Granted (June 13, 1991).

KMDX-FM 99, Inc.--Request for hearing fee refund for a FM station at Parker,
Arizona--Granted (October 1, 1991).

Furniture City Broadcasters, Inc.--Request for hearing fee refund for a new FM station at
Lenoir, North Carolina--Denied (October 3, 1991).

CDD Broadcasting--Request for hearing fee refund for a new FM station at Ocean City,
Maryland--Granted (October 3, 1991).

Seeway Broadcasters--Request for Reinstatement for a modification to its license covering a
low power TV station at Fremont, Ohio--Granted (October 8, 1991).

James C. Sliger--Request for hearing fee refund for a new FM station at Westwood,
Kentucky--Granted (October 8, 1991).

Healdsburg Broadcasting, Inc.--Request for Reinstatement for a new FM station at
Healdsburg, California--Granted (October 8, 1991).

Life Broadcasting, Inc.--Request for refund of hearing fee for station KTNT-FM, Edmond,
Oklahoma--Granted (October 11, 1991).

Porter H. Davis--Request for refund of hearing fee for station KTNT-FM, Edmond
Oklahoma--Granted (October 11, 1991).

Keith L. Miller, Jr.--Request for refund of hearing fee for a new FM radio station at
Newport, Oregon--Granted (October 17, 1991).

Robert D. & Jenifer L. Weerts--Request for refund of hearing fee for a new
FM station at Blue Earth, Minnesota--Granted (October 17, 1991).

Kramer Broadcasting, Inc.--Request for refund of filing fee for station WDDC (FM), Portage,
Wisconsin--Granted (October 17, 1991).

Innovative Advertising Consultants, Inc.--Request for refund of rule making fee paid to
modify the construction permit of Station WGUY (FM), Dexter, Maine--Granted (October 18, 1991).

PBR Communications Systems, Inc.--Request for refund or reduction of fee for station WPBR,
Palm Beach Florida--Partial Refund Granted (October 18, 1991).

Profile Broadcasting Company, Inc.--Request for refund of hearing fee for a new FM Station
at Lisbon, New Hampshire--Granted (October 18, 1991).

Mono County Service Area No. 1--Request for refund of filing fee with five low power
television and television translator stations and renewal of three television translator
licenses--Granted (October 18, 1991).

NEC Technologies, Inc.--Request for refund of filing fee--Granted (October 18, 1991).

Lake Geneva Broadcasting, Inc.--Request for refund of hearing fee for a new FM radion
station at Lake Geneva, Wisconsin--Granted (October 18, 1991).

B.F. Dillingham--Request for hearing fee refund for a new FM station at Hilo,
Hawaii--Granted (October 21, 1991).

Alle S. Bill--Request for refund of filing fee for a new FM radio
station at Blue Earth, Minnesota--Granted (October 21, 1991).

Gregory J. & Carol W. Siefker--Request for refund of hearing fee for a new FM radio station at Ashley, Michigan--Granted (October 21, 1991).

Morgan County Industries--Request for refund of hearing fee for a new FM station at West Liberty, Kentucky--Denied (October 21, 1991).

John Norman & Donald Lesko--Request for "Petition to Defer Fee" for a new FM station at Chiefland, Florida--Dismissed at Moot (October 21, 1991).

Garrison City Broadcasting, Inc.--Request for refund of hearing fee for a new FM Station at Somersworth, New Hampshire--Denied (October 21, 1991).

Julie J. Carey--Request for refund of hearing fee for a new FM station at Nashville, Indiana--Denied (October 21, 1991).

Melinda Boucher Read--Request for refund of filing fee for a new FM station at Spokane, Washington--Granted (October 21, 1991).

White Construction Co.--Request for refund of a hearing fee for a new FM station at Chiefland, Florida--Granted (October 22, 1991).

ET Communications, Inc.--Request for refund of a hearing fee for a new FM station at Opelika, Alabama--Granted (October 28, 1991).

B & H Broadcasting Company--Request for refund of filing fee for a new FM station at Gosnell, Arkansas--Denied (October 28, 1991).

Caddo Broadcasting Company--Request for refund of a hearing fee for a new FM broadcast station at Hot Springs Village, Arkansas Granted (October 28, 1991).

Andrew Bongirno--Request for a refund of filing fee for a renewal of a Second Class Radio Telephone Operator License--Denied (October 28, 1991).

Katieco, Inc.--Request for refund of hearing fee for a new FM station at Ellettsville, Indiana--Denied (October 28, 1991).

Hurricane Island Outward Bound School--Request for adjustment of fee re radiotelephone requirements--Denied (October 28, 1991).

NOTE: ANY QUESTIONS REGARDING THIS REPORT SHOULD BE DIRECTED TO THE PREPARER, CLAUDETTE E. PRIDE, CHIEF, FEE SECTION ON (202) 632-0241.

FEDERAL COMMUNICATIONS COMMISSION

October 18, 1991

OFFICE OF MANAGING DIRECTOR

Walter Steimel, Jr., Esquire
Bell, Boyd & Lloyd
1615 L Street, N.W.
Suite 1200
Washington, D.C. 20036-5601

Dear Mr. Steimel:

This is in reference to your request, filed on behalf of NEC Technologies, Inc. (NEC), for a refund of a fee that had been inadvertently submitted with its application for Part 15 authority which the Commission had previously granted. Due to this oversight, NEC's application will be withdrawn and its fee will be refunded.

A check, drawn in the amount of \$735.00 and payable to NEC Technologies, Inc., will be forwarded to you at the earliest practicable time. If you have any questions concerning this refund, please contact the Chief, Fee Section at (202) 632-0241.

Sincerely,

Marilyn J. McDermett
Associate Managing Director for Operations
October 22, 1991

OFFICE OF MANAGING DIRECTOR

Captain Edward A. Dietrich

1991

Waterfront Director
Hurricane Island Outward Bound School
P.O. Box 429
Rockland, Maine 04841

Dear Mr. Dietrich:

This is in response to your request for an adjustment of the fees required to cover Hurricane Island Outward Bound School's (Hurricane Island) applications for exemption from strict compliance with the Commission's radiotelephone requirements.

You state that Hurricane Island is a small nonprofit organization that conducts courses designed to enable participants to develop their personal resources. Hurricane Island employs 22 seagoing vessels in its program, each required to be equipped with radiotelephone facilities. In the past, Hurricane Island has obtained waivers from full compliance with the Commission's applicable radiotelephone requirements at no cost. However, under the Commission's rules implementing its fee program, a separate fee is now required for each individual exemption request. In your view, a separate fee payment for each vessel constitutes an onerous burden on Hurricane Island and will negatively affect its ability to serve the nation's youth. You request that the Commission impose only a single fee to cover the school's 22 waiver request since the vessels are identical.

We have withheld action on your request to await the Commission's consideration of whether to broaden the category of entities exempt from the fee requirement. See Establishment of a Fee Collection Program to Implement the Provisions of the Omnibus Reconciliation Act of 1989 (Fees II), 5 FCCRcd 3558 (1990), Reconsidered in Part, FCC 91-298, released October 10, 1991. In its decision, the Commission specifically reaffirmed that, consistent with Congressional intent to grant waivers of the fee requirement narrowly, even not-for-profit youth organizations, such as Hurricane Island, requiring waivers of the rules pertaining to required radio equipment are subject to the fee requirement. Id. PP55-56. Moreover, as directed by Congress, the Commission declined to permit a blanket fee to substitute for the individual fees due from fleet operators. Id. PP49-50. As a consequence, Hurricane Island is ineligible for a fee reduction.

Accordingly, your request is denied.

Sincerely,

Marilyn J. McDermott

Associate Managing Director for Operations
June

Copr. (C) West 1999 No Claim to Orig. U.S. Govt. Works

AMDSJ-PRJ

FCC 91-298 → 6/5919

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

OCT 1 2001

OFFICE OF
MANAGING DIRECTOR

Roger Gray, Vice President
& Chief Information Officer
Pacific Gas and Electric Company
Post Office Box 770000
San Francisco, California 94177

Re: Request for Waiver of
Filing Fees
Fee Control No.: 00000RROG-01-009

Dear Mr. Gray:

This letter responds to your request for a waiver of the filing fees submitted on behalf of Pacific Gas and Electric Company in connection with the involuntary assignment of the Company's wireless licenses to Pacific Gas and Electric Company, Debtor and Debtor in Possession.

In support of your request, you state that Pacific Gas and Electric Company recently filed a petition under Chapter 11 of the Bankruptcy Code, resulting in the pro forma involuntary assignment of its licenses to Pacific Gas and Electric Company, Debtor and Debtor in Possession. You assert that payment of the filing fees in this instance would be unduly burdensome and contrary to the public interest. Accordingly, you request that the Commission waive Sections 1.1102 and 1.1117(e) of its rules, 47 C.F.R. §§ 1.1102 and 1.1117(e), and accept the application for assignment of licenses without requiring the payment of filing fees.

Section 1.1117 of the Commission's Rules, 47 C.F.R. § 1.1117, provides that filing fees may be waived upon a showing of good cause and a finding that the public interest will be served thereby. See Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, 2 FCC Rcd 3558, 3572-73 (1990). You have presented information showing that on April 6, 2001 Pacific Gas and Electric Company filed a Voluntary Petition under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court, Northern District of California. We find that this filing substantiates Pacific Gas and Electric Company's claim of financial hardship and demonstrates good cause for waiver of the filing fees. See MobileMedia Corporation, 14 FCC Rcd 8017, 8027 (1999) (bankruptcy establishes good cause for waiver of filing fee); cf. Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995) (evidence of bankruptcy or receivership sufficient to establish financial hardship for purposes of waiver of regulatory fees). Moreover, waiver of the filing fees will serve the public interest by protecting the interests of Pacific Gas and Electric Company's creditors. Therefore, your request for a waiver of the filing fees is granted.


Roger Gray, Vice President & Chief Information Officer

2.

If you have any questions concerning this letter, please contact the Revenue and Receivable Operation Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark A. Reger', with a large, stylized initial 'M'.

 Mark A. Reger
Chief Financial Officer

Pacific Gas and Electric Company
FCC Licensing

Mail Code B22A

P.O. Box 770000

San Francisco, CA 94133

ASSOC. MNG. DIR.

FINANCIAL OPERATIONS

(AND-FO)

Jul 20 3 40 PM '01

RECEIVED



July 16, 2001

Mr. Andrew S. Fishel
Managing Director
Federal Communications Commission
445 - 12th Street SW; 1-C144
Washington, DC 20554

Re: Pacific Gas and Electric Company
Request for Waiver of Filing Fees

Dear Mr. Fishel:

Enclosed please find a copy of a filing that Pacific Gas and Electric Company is making today with the Commission via the Universal Licensing System. The filing notifies the Commission of the recent filing by Pacific Gas and Electric Company of a petition under Chapter 11 of the Bankruptcy code and the resulting *pro forma* involuntary assignment of the Company's wireless licenses to Pacific Gas and Electric Company, Debtor and Debtor in Possession.

As this action is necessitated solely by its Chapter 11 filing, Pacific Gas and Electric Company respectfully requests that the Commission waive its rules which would ordinarily require the payment of filing fees with this Application. Application of the rules in this instance would be unduly burdensome and contrary to the public interest. Therefore, Pacific Gas and Electric Company respectfully requests that the Commission waive its rules 1.1102 and 1.1117(e), 47 CFR sections 1.1102 and 1.1117(e), and accept the application without requiring the payment of filing fees.

Thank you for your consideration of this request. Should you have any questions concerning this matter, please do not hesitate to contact Kathleen Brown at (415) 973-2073.

Very Truly Yours,

Roger Gray
Vice President & Chief Information Officer

Enclosures

cc: Jeffrey Tobias, Wireless Telecommunications Bureau
James Brown, Wireless Telecommunications Bureau

FCC 603	FCC Wireless Telecommunications Bureau Application for Assignments of Authorization and Transfers of Control	Approved by OMB 3060 - 0800 See instructions for public burden estimate Submitted 07/16/2001 at 03:35PM File Number: 0000525318
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1) Application Purpose: Assignment of Authorization	
2a) If this request is for an Amendment or Withdrawal, enter the File Number of the pending application currently on file with the FCC.	File Number:
2b) File numbers of related pending applications currently on file with the FCC:	

Type of Transaction

3a) Is this a <i>pro forma</i> assignment of authorization or transfer of control? Yes
3b) If the answer to Item 3a is 'Yes', is this a notification of a <i>pro forma</i> transaction being filed under the Commission's forbearance procedures for telecommunications licenses? No
4) For assignment of authorization only, is this a partition and/or disaggregation? No
5) Does this filing request a waiver of the Commission's rules? No
6) Are attachments being filed with this application? Yes
7a) Does the transaction that is the subject of this application also involve transfer or assignment of other wireless licenses held by the assignor/transferor or affiliates of the assignor/transferor (e.g., parents, subsidiaries, or commonly controlled entities) that are not included on this form and for which Commission approval is required? No
7b) Does the transaction that is the subject of this application also involve transfer or assignment of non-wireless licenses that are not included on this form and for which Commission approval is required? No

Transaction Information

8) How will assignment of authorization or transfer of control be accomplished? See Exhibit 1. If required by applicable rule, attach as an exhibit a statement on how control is to be assigned or transferred, along with copies of any pertinent contracts, agreements, instruments, certified copies of Court Orders, etc.
9) The assignment of authorization or transfer of control of license is: Involuntary

Licensee/Assignor Information

10a) Taxpayer Identification Number: L00007275	10b) SGIN: 000	10c) FCC Registration Number (FRN): 0001551555
11) First Name (if individual):	MI:	Last Name:
12) Entity Name (if not an individual): Pacific Gas and Electric Company		
13) Attention To: Albert Badella		
14) P.O. Box: 770000	And / Or	15) Street Address: Mail Code B22A
16) City: San Francisco	17) State: CA	18) Zip: 94177
19) Telephone Number: (415)973-0188	20) FAX: (415)973-0468	
21) E-Mail Address: AMB1@pge.com		

22) Race, Ethnicity, Gender of Assignor/Licensee (Optional)

Race:	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
Ethnicity:	Hispanic or Latino:	Not Hispanic or Latino:			
Gender:	Female:	Male:			

Transferor Information (for transfers of control only)

23a) Taxpayer Identification Number:		23b) SGIN:	23c) FCC Registration Number (FRN):
24) First Name (if individual):	MI:	Last Name:	Suffix:
25) Entity Name (if not an individual):			
26) P.O. Box:	And / Or	27) Street Address:	
28) City:	29) State:	30) Zip:	
31) Telephone Number:		32) FAX:	
33) E-Mail Address:			

Name of Transferor Contact Representative (if other than Transferor) (for transfers of control only)

34) First Name:	MI:	Last Name:	Suffix:
35) Company Name:			
36) P.O. Box:	And / Or	37) Street Address:	
38) City:	39) State:	40) Zip:	
41) Telephone Number:		42) FAX:	
43) E-Mail Address:			

Assignee/Transferee Information

44) The Assignee is a(n): Corporation			
45a) Taxpayer Identification Number: L00007275		45b) SGIN: 000	45c) FCC Registration Number (FRN): 0001551555
46) First Name (if individual):	MI:	Last Name:	Suffix:
47) Entity Name (if other than individual): Pacific Gas and Electric Company, Debtor and Debtor in Possession			
48) Name of Real Party in Interest:		49) TIN:	
50) Attention To: Albert Badella			
51) P.O. Box: 770000	And / Or	52) Street Address: FCC Licensing, Mail Code B22A	
53) City: San Francisco	54) State: CA	55) Zip: 94177	
56) Telephone Number: (415)973-0188		57) FAX: (415)973-0468	
58) E-Mail Address: AMB1@pge.com			

Name of Assignee/Transferee Contact Representative (if other than Assignee/Transferee)

59) First Name: Kathleen	MI: A	Last Name: Brown	Suffix:
60) Company Name: Pacific Gas and Electric Company			
61) P.O. Box:	And / Or	62) Street Address: Law Dept., 77 Beale St., Mail Code B30A	
63) City: San Francisco	64) State: CA	65) Zip: 94105	
66) Telephone Number: (415)973-2073		67) FAX: (415)973-0516	
68) E-Mail Address: KBW4@pge.com			

Alien Ownership Questions

69) Is the Assignee or Transferee a foreign government or the representative of any foreign government?	No
70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	No
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	No
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control.	No

Basic Qualification Questions

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances.	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any party to this application ever been convicted of a felony by any state or federal court? If 'Yes', attach exhibit explaining circumstances.	No
76) Has any court finally adjudged the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? If 'Yes', attach exhibit explaining circumstances.	No
77) Is the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee currently a party in any pending matter referred to in the preceding two items? If 'Yes', attach exhibit explaining circumstances.	No

78) Race, Ethnicity, Gender of Assignee/Transferee (Optional)

Race:	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
Ethnicity:	Hispanic or Latino:	Not Hispanic or Latino:			
Gender:	Female:	Male:			

Assignor/Transferor Certification Statements

1) The Assignor or Transferor certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd. 6293(1998).			
2) The Assignor or Transferor certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.			
79) Typed or Printed Name of Party Authorized to Sign			
First Name: Roger	MI:	Last Name: Gray	Suffix:
80) Title: Vice Pres. & Chief Information Officer			
Signature: Roger Gray		81) Date: 07/16/01	

Assignee/Transferee Certification Statements

1) The Assignee or Transferee certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd. 6293 (1998).			
2) The Assignee or Transferee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.			
3) The Assignee or Transferee certifies that grant of this application would not cause the Assignee or Transferee to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule. "If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request.			
4) The Assignee or Transferee agrees to assume all obligations and abide by all conditions imposed on the Assignor or Transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against the Assignor or Transferor prior to this assignment.			
5) The Assignee or Transferee certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.			
6) The Assignee or Transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, 21 U.S.C § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.			
7) The applicant certifies that it either (1) has an updated Form 602 on file with the Commission, (2) is filing an updated Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's Rules.			
82) Typed or Printed Name of Party Authorized to Sign			
First Name: Roger	MI:	Last Name: Gray	Suffix:
83) Title: Vice Pres. & Chief Information Officer			
Signature: Roger Gray		84) Date: 07/16/01	

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

Authorizations To Be Assigned or Transferred

85) Call Sign	86) Location Number	87) Path Number (Microwave only)	88) Lower or Center Frequency (MHz)	89) Upper Frequency (MHz)	90) Constructed Yes / No
KS5465					Yes
KWT553					Yes
KMQ26					Yes
KDS86					Yes
KDW999					Yes
WNE1838					Yes
KFA225					Yes
KTM471					Yes
WPCJ758					Yes
KYW84					Yes
KYW85					Yes
KYW86					Yes
KZN99					Yes
WAE260					Yes
WAE261					Yes
KGZ523					Yes
WNTN525					Yes
WNTN669					Yes
WNTN668					Yes
WNE5623					Yes
WPND866					Yes
KMZ54					Yes
WPOP742					Yes
WBA443					Yes
KHK70					Yes
KER918					Yes
WNEY318					Yes
KCX384					Yes
KCW67					Yes
KCW68					Yes
KCW523					Yes
KCW65					Yes
WEE937					Yes
WAW897					Yes
WAW898					Yes
KO9609					Yes
WNT1930					Yes
WNTC581					Yes
WDW379					Yes
WDW380					Yes
WNT778					Yes
WNT975					Yes
WXA980					Yes
WRR9					Yes
WHH470					Yes